

AMENDED IN ASSEMBLY MARCH 22, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1968**

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**Introduced by Assembly Members Leslie and Jones**

February 9, 2006

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An act to amend Section 76361 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL’S DIGEST

AB 1968, as amended, Leslie. Community colleges: transportation fees.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to maintain campuses at which instruction is provided to students. Existing law authorizes the governing boards of community college districts to charge various fees, including fees charged to students and employees at a campus of the district for purposes of partially or fully recovering transportation costs incurred by the district or of reducing fares for services provided by common carriers or municipally owned transit systems to these students and employees, in accordance with a prescribed procedure. With respect to these transportation fees, existing law requires a governing board maintaining transportation services to adopt rules and regulations governing the exemption of low-income students from these fees and authorizes the governing board to adopt rules and regulations that provide for the exemption of others.

This bill would delete the provision relating to the adoption of the rules and regulations governing the exemption of low-income students and other students from these fees. The bill would instead authorize the governing board of a community college district to adopt rules and regulations to exempt ~~or partially exempt~~ low-income students from this fee, *or to require low-income students to pay all or part of this fee.*

*The bill would prohibit the governing board of a community college district from entering into, or extending, a contract for transportation services, funded by the proceeds of a transportation fee and provided by a common carrier or a municipally owned transit system, unless and until a majority of students of that district who vote in an election, held no more than 10 years prior to the date of the expiration of the contract proposed to be entered into or no more than 10 years prior to the date to which it is proposed that an existing contract be extended, have approved the payment of the fee for this purpose. The bill would require that, if the governing board decides to seek to terminate or alter the arrangements under which the district receives transportation services from a common carrier or municipally owned transit system, the governing board provide at least 12 months' notice of that intention to the provider of transportation services.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 76361 of the Education Code is
- 2 amended to read:
- 3 76361. (a) The governing board of a community college
- 4 district may require students in attendance and employees at a
- 5 campus of the district to pay a fee for purposes of partially or
- 6 fully recovering transportation costs incurred by the district or of
- 7 reducing fares for services provided by common carriers or
- 8 municipally owned transit systems to these students and
- 9 employees.
- 10 (b) Fees authorized by subdivision (a) for transportation
- 11 services may be required to be paid only by students and
- 12 employees using the services, or, in the alternative, by either of
- 13 the following groups of people:

1 (1) Upon the favorable vote of a majority of the students and a  
2 majority of the employees of a campus of the district, who voted  
3 at an election on the question of whether or not the governing  
4 board should require all students and employees at the campus to  
5 pay a fee for transportation services for a period of time to be  
6 determined by the governing board of the district, the fees may  
7 be required to be paid by all students, *other than those students*  
8 *who are exempt from the fees pursuant to paragraph (1) of*  
9 *subdivision (c), and all employees of the campus of the*  
10 *community college district.*

11 (2) Upon the favorable vote of a majority of the students at a  
12 campus of the district, who voted at an election on the question  
13 of whether or not the governing board should require all students  
14 to pay a fee for transportation services for a period of time to be  
15 determined by the governing board of the district, the fees may  
16 be required to be paid by all students, *other than those students*  
17 *who are exempt from the fees pursuant to paragraph (1) of*  
18 *subdivision (c), at the campus of the community college district.*  
19 *However, the employees shall not be entitled to use the services.*

20 (c) (1) If, pursuant to this section, a fee is required of students  
21 for transportation services, any fee required of a part-time student  
22 shall be a pro rata lesser amount than the fee charged to full-time  
23 students, depending on the number of units for which the  
24 part-time student is enrolled. A governing board providing for  
25 transportation services may adopt rules and regulations to exempt  
26 ~~or partially exempt~~ low-income students from *this fee, or to*  
27 *require low-income students to pay all or part of this fee.*

28 (2) *The governing board of a community college district shall*  
29 *not enter into, or extend, a contract for transportation services*  
30 *provided by a common carrier or a municipally owned transit*  
31 *system, funded by the proceeds of a fee authorized under this*  
32 *section, unless and until a majority of the students of that district*  
33 *who vote in an election, held no more than 10 years prior to the*  
34 *date of the expiration of the contract proposed to be entered into*  
35 *or no more than 10 years prior to the date to which it is proposed*  
36 *that an existing contract be extended, have approved the payment*  
37 *of the fee for this purpose. If the governing board decides to seek*  
38 *to terminate or alter the arrangements under which the district*  
39 *receives transportation services from a common carrier or*  
40 *municipally owned transit system, the governing board shall*

1 *provide at least 12 months' notice of that intention to the*  
2 *provider of transportation services.*

3 (d) The total fees to be established periodically by the  
4 governing board pursuant to this section shall not exceed the  
5 amount necessary to reimburse the district for transportation  
6 costs incurred by the district in providing the transportation  
7 service. The sum of the fee authorized pursuant to this section for  
8 transportation services and the fee authorized pursuant to Section  
9 76360 for parking services shall not exceed sixty dollars (\$60)  
10 per semester or thirty dollars (\$30) per intersession, or the  
11 proportionate equivalent for part-time enrollment.

12 (e) The governing board of a community college district also  
13 may require the payment of a fee, to be fixed by the governing  
14 board, for the use of transportation services by persons other than  
15 students and employees.

16 (f) This section does not apply to, and no fee shall be charged  
17 for, on-campus shuttles or other transportation services operated  
18 on a campus or between the campus and parking facilities owned  
19 by the district.